

REMARKS

Information Disclosure Statement

The Examiner alleges that this statement under 37 C.F.R. § 1.97(e) included with the Information Disclosure Statement filed on February 8, 2007 was not valid because of the inclusion of U.S. 5,596,202 A.

Applicant respectfully submits that the statement under 37 C.F.R. § 1.97(e) included with the Information Disclosure Statement filed on February 8, 2007 is valid since the Japanese reference JP 8-087085, which corresponds to U.S. 5,596,202 A, was first cited in an Office Action dated December 5, 2006 from the Japanese Patent Office in a counterpart application, which is not more than three months prior to the February 8, 2007 filing date of the IDS. Applicants include the corresponding U.S. patent merely for the convenience of the Examiner.

Objections to the Claims

The Examiner has objected to claim 11 as reciting a second reflection layer and a fifth wavelength range prior to the recitation of a first reflection layer and a fourth wavelength range. Applicant respectfully submits that there is no requirement to sequentially identify claim element names. Therefore, Applicant respectfully requests that this objection be withdrawn.

Claim Rejections

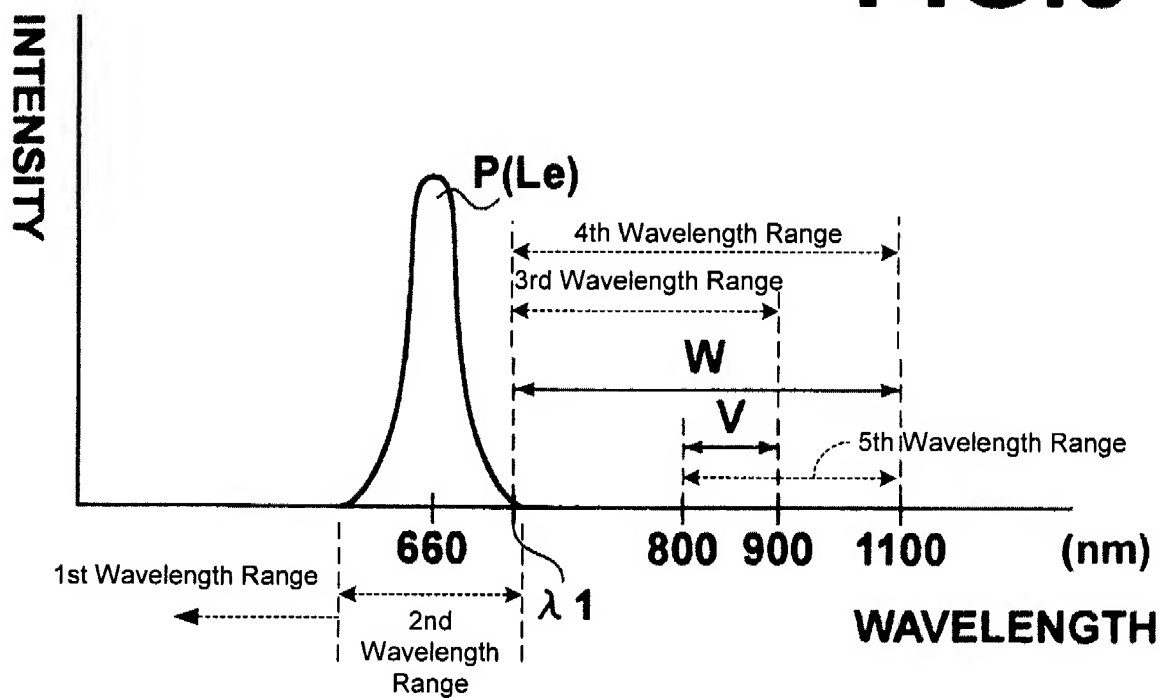
Claims 9-20 --- 35 U.S.C. § 112

Claims 9-20 have been rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. Specifically, the Examiner alleges that the

specification does not describe the arrangement of the filter device between the phosphor layer and the light source. Applicant has amended claim 9, from which claims 10-20 depend, to remove this limitation.

The Examiner further alleges that the specification does not describe the characteristics of the third wavelength range. Applicant submits that the various wavelength ranges can be interpreted from the specification and drawings as illustrated below in Fig. 3, which has been annotated to show the claimed wavelength ranges by example. Therefore, Applicant respectfully requests that the §112 rejection be withdrawn.

FIG.3



Claims 9-20 --- 35 U.S.C. § 101

Claims 9-20 have been rejected under 35 U.S.C. § 101 as allegedly not being supported by either a specific and substantial asserted utility or a well-established utility. Specifically, the Examiner alleges that the invention lacks utility when the filter is disposed between the light source in the phosphor layer. As indicated above, Applicant has amended claim 9, from which claims 10-20 depend, to remove this limitation. Therefore, Applicant respectfully requests that the §101 rejection be withdrawn.

Claims 9-20 --- 35 U.S.C. § 103(a)

Claims 9-20 been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Pat. Pub. No. 2003/0042445 to Mitchell *et al.* ("Mitchell") in view of U.S. Pat. No. 6,583,434 to Struye *et al.* ("Struye") and U.S. Pat. No. 5,905,014 to Van de Bergh.

The Examiner correctly concedes that Mitchell fails to teach the filter device comprising two absorption filters. The Examiner thus must also necessarily concede that Mitchell fails to teach the joining of the absorption filter elements. Though the Examiner contends that multiple filters are interchangeable with a single filter, the Examiner has not indicated why such multiple elements should be joined.

In addition, applicant submits that the secondary references of Struye and Van de Bergh acknowledged the extremely weak emissions in relation to the stimulated light. Because of the attenuation of a multiple filter arrangement, and it would not be obvious to one skilled in the art,

based on the teachings at hand, to substitute multiple filters for a single one, much less join such multiple filters.

Therefore, claim 9 is allowable and claims 10-20 are patentable based on their dependence.

Further, Applicant submits that the amended claims recite the same subject matter as granted claims 19-30 of U.S. Pat. No. 7,071,484 ("the '484 patent") filed on March 8, 2004 and issued on July 4, 2006. Applicant respectfully submits that since claims 9-20 recite the same subject matter as granted claims 19-30 of the '484 patent, claims 9-20 of the instant application are also necessarily patentable to Applicant.

Applicant attaches herewith a Suggestion for Interference between claims 9-20 of the instant application and claims 19-30 of the '484 patent.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No.: 10/718,643

Attorney Docket No.: Q78532

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

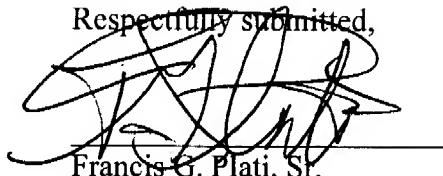
SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Francis G. Plati, Sr.', written over a horizontal line.

Francis G. Plati, Sr.
Registration No. 59,153

Date: September 6, 2007